

Appl. No. 10/696,813
Examiner: Hewitt, James M, Art Unit 3679
In response to the Office Action dated April 6, 2007

Date: July 3, 2007
Attorney Docket No. 10111394

AMENDMENTS TO THE DRAWINGS

The attached four (4) sheets of drawings include changes to Figures 4A-4C and 4F.

Attachment: Replacement Sheets (4)

REMARKS

Responsive to the Office Action mailed on April 6, 2007 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Chaffee (US 5,267,363). Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the "Insta-Bed." Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaffee. Claims 2-3, 6-7, 9-10 and 13-14 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 4 and 15-16 are withdrawn from consideration.

In this paper, claims 1, 2, 8 and 9 are amended. New claims 20-27 are added. Support for the amendments and new claims can be found in Figs. 4A-4C and 4F and the related description in the application as originally filed. The specification and drawings are amended to add reference numbers to the chamber wall (41a), pack wall (430a) and interior region (430b). Thus, on entry of this amendment, claims 1-16, 18 and 20-26 remain in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Allowable Subject Matter

Applicant thanks the Examiner for his indication in the Office Action that claims 2-3, 6-7, 9-10 and 13-14 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Rejections Under 35 U.S.C. 102

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Chaffee. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

The rejection of a claim for anticipation under 35 U.S.C. §102 requires that the prior art reference include every element of the rejected claim. Furthermore, as stated by the Federal Circuit, the prior art reference must disclose each element of the claimed invention "arranged as in the claim." *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

After amendment, claim 8 recites an inflatable product; including:

- a first chamber comprising a chamber wall;
- a pack having an interior region, an air intake communicating the interior region to the outside of the first chamber and a first air outlet communicating the interior region to the inside of the first chamber, wherein the pack is built in the chamber wall and extends into an interior of the first chamber;
- a first valve for opening and closing the first air outlet, wherein the first valve is connected to the pack; and
- a motor connected to a fan for rotating the fan to pump air, wherein, on activation of the fan and motor to inflate the first chamber, air is pumped from outside of the first chamber through the air intake into the interior region of the pack, then through the first valve and first air outlet into the first chamber.

Chaffee teaches an inflatable mattress having a pressure valve. There is no teaching or suggestion of a pack having an interior region, an air intake communicating the interior region to the outside of a first chamber and a first air outlet communicating the interior region to the inside of the first chamber, wherein the pack is built in a chamber wall and extends into an interior of the first chamber, as recited in claim 8.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 8. Applicant therefore respectfully requests that the rejection of claim 8 be withdrawn and the claim passed to issue. Furthermore, insofar as rejected claims 11-12 depend from claim 8, and therefore incorporate all of the limitations of claim 8, it is Applicant's belief that these claims are also in condition for allowance.

Rejections Under 35 U.S.C. 103

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaffee.

Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the "Insta-Bed." To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

As noted above, it is Applicant's belief that claims 11-12 are allowable by virtue of their dependency from claim 8. For this reason, the Examiner's arguments in connection with these claims are considered moot and will not be addressed here.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

After amendment, claim 1 recites an inflatable product, including:

- a first chamber comprising a chamber wall;
- a pack having an interior region, an air intake communicating the interior region to the outside of the first chamber and a first air outlet communicating the interior region to the inside of the first chamber, wherein the pack is built in the chamber wall and extends into an interior of the first chamber;
- a first valve for opening and closing the first air outlet, wherein the first valve is connected the pack; and
- a fan and motor disposed in the interior region of the pack, wherein, on activation of the fan and motor to inflate the first chamber, air is pumped from outside of the first

chamber through the air intake into the interior region of the pack, then through the first valve and first air outlet into the first chamber.

The "Insta-Bed" illustrated in the cited instruction sheet is an "air bed with built-in pump." As shown in the INFLATION section of the instructions, a pump cap is unscrewed from the pump intake before inflating the air bed and replaced after inflation is completed. Thus, contrary to the assertion of the Examiner that the ON and OFF positions evidence a valve for opening and closing an air outlet, it is the pump cap that limits the flow of air into and out of the air bed. The ON and OFF positions serve to activate and deactivate the pump. Applicant further notes that the OPEN position serves to allow the pump to be detached.

Applicant therefore submits that the instruction sheet does not teach or suggest a pack having an interior region, an air intake communicating the interior region to the outside of a first chamber and a first air outlet communicating the interior region to the inside of the first chamber, wherein the pack is built in a chamber wall and extends into an interior of the first chamber, and a first valve for opening and closing the first air outlet, wherein the first valve is disposed in the pack, as recited in claim 1.

For at least this reason, a *prima facie* case of obviousness cannot be established in connection with this claim. Furthermore, as it is Applicant's belief that a *prima facie* case of obviousness is not established for claim 1, the Examiner's arguments in regard to the dependent claims are considered moot and are not addressed here. Allowance of claims 1 and 5 is respectfully requested.

New Claims 20-27

New claims 20-26 are believed to be allowable at least by virtue of dependence from either claim 1 or claim 8.

Appl. No. 10/696,813
Examiner: Hewitt, James M, Art Unit 3679
In response to the Office Action dated April 6, 2007

Date: July 3, 2007
Attorney Docket No. 10111394

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so. The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to Deposit Account No. **502447**.

Respectfully submitted,

/Nelson A. Quintero/

Nelson A. Quintero
Reg. No. 52,143
Customer No. 34,283
Telephone: (310) 909-8535

P124890NAQ